

**IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE WESTERN DISTRICT OF VIRGINIA  
HARRISONBURG DIVISION**

IN RE: Phillip Guertler  
Cindy Louise Guertler

**OBJECTION TO AMENDED CLAIM 4**

PHILLIP GUERTLER  
CINDY LOUISE GUERTLER  
*Debtor(s)/Plaintiff(s)*

Case number: 14-50483

v.

DUPONT COMMUNITY CREDIT UNION

Serve:

Gerald B. Hershey, President  
140 Lucy lane  
Waynesboro, Va 22980  
*Defendant(s)*

COMES NOW the Debtors/Plaintiffs, Phillip Guertler and Cindy Louise Guertler, by counsel, and object to Claim no. 4 filed by Dupont Community Credit Union, in support of which the debtors state as follows:

1. Amended claim 4, filed July 8, 2014, alleges an unsecured debt of \$7016.23 is owed jointly by Debtors Phillip Guertler and Cindy Guertler.
2. Debtors assert that the debt set forth in amended claim 4 is owed only by Debtor Phillip Guertler.
3. The documents filed in support of amended claim 4 contain two different account numbers. The document allegedly signed by Debtor Cindy Guertler is for a different debt and contains a different account number than the debt asserted to be owed in amended claim 4. Upon information and belief, the debt previously owed jointly by Cindy Guertler, with the different account number, had been completely paid years before the captioned case was filed.

WHEREFORE, Debtors pray that the Court enter an Order sustaining the Debtors' objection to claim no. 4 filed by Dupont Community Credit Union; that amended claim 4 be allowed as a debt owed by only Phillip Guertler; and for such other relief as the Court deems appropriate.

ANY CREDITOR OR PARTY IN INTEREST FILING A RESPONSE TO THIS CLAIM OBJECTION SHALL FILE WITH THE COURT, THE TRUSTEE AND COUNSEL FOR THE DEBTOR ITS WRITTEN RESPONSE NOT LATER THAN THIRTY (30) DAYS FROM THE DATE SET FORTH BELOW.

Date Mailed: 9/29/2014

/s/ Roland S. Carlton, Jr.

Counsel

Roland S. Carlton, Jr., Esq.  
Carlton Legal Services, P.L.C.  
118 MacTanly Place  
Staunton, VA 24401  
(540) 213-0547  
V.S.B. #34138

#### **CERTIFICATE**

I, Roland S. Carlton, Jr., Esq., do hereby certify that a true and accurate copy of this Objection to Claim 4 will be mailed by certified mail on September 29, 2014 to:

Dupont Community Credit Union  
Gerald B. Hershey  
140 Lucy lane  
Waynesboro, Va 22980

and mailed by electronic mail or first class mail on this same date to:

HERBERT BESKIN, Esq., Trustee  
P. O. Box 2103  
Charlottesville, VA 22902-2103

/s/ Roland S. Carlton, Jr.

Roland S. Carlton, Jr., Esq.

**IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE WESTERN DISTRICT OF VIRGINIA  
HARRISONBURG DIVISION**

IN RE: Phillip Guertler  
Cindy Louise Guertler  
*Debtors*

**NOTICE OF HEARING**

PHILLIP GUERTLER  
CINDY LOUISE GUERTLER  
*Plaintiff*

Case number: 14-50483

v.

DUPONT COMMUNITY CREDIT UNION  
*Defendant*

PLEASE TAKE NOTICE that the undersigned will, on November 5, 2014 at 10:00 a.m., or as soon thereafter as counsel may be heard, at the Courthouse of the Federal District Court, 116 North Main Street, Harrisonburg, Virginia, move the Court to enter an Order pursuant to the Objection to Claim 4 which is attached to this notice and incorporated herein by reference.

**IF THE ABOVE NAMED CREDITOR DOES NOT FILE A WRITTEN RESPONSE TO THE CLAIM OBJECTION WITHIN THE THIRTY (30) DAY TIME PERIOD, AN ORDER SUSTAINING THE OBJECTION WILL BE ENTERED WITHOUT FURTHER NOTICE AND HEARING AND THE ABOVE NAMED CREDITOR WILL BE BARRED FROM RESPONDING TO THE OBJECTION TO CLAIM.**

Date Mailed: 9/29/2014

/s/ Roland S. Carlton, Jr.

Counsel

Roland S. Carlton, Jr., Esq.  
Carlton Legal Services, P.L.C.  
118 MacTanly Place  
Staunton, VA 24401  
(540) 213-0547  
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**CERTIFICATE**

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/s/ Roland S. Carlton, Jr.

Roland S. Carlton, Jr., Esq.